

first degree proposed to any measure under consideration by the Committee unless such amendment has been delivered to the office of the Committee and circulated via e-mail to each of the offices by at least 5:00 p.m. the day prior to the scheduled start of the meeting.

2. It shall be in order, without prior notice, for a Member to offer a motion to strike a single section of any bill, resolution, or amendment under consideration.

3. The time limit imposed on the filing of amendments shall apply to no more than three bills identified by the Chairman and included on the Committee's legislative agenda.

4. This section of the rule may be waived by agreement of the Chairman and the Ranking Minority Member.

#### VII. PROXY VOTING

When a recorded vote is taken in the Committee on any bill, resolution, amendment, or any other question, a quorum being present, Members who are unable to attend the meeting may submit votes by proxy, in writing or by telephone, or through personal instructions. A proxy must be specific with respect to the matters it addresses.

#### VII. SUBCOMMITTEES

1. Any Member of the Committee may sit with any Subcommittee during its hearings or any other meeting, but shall not have the authority to vote on any matter before the Subcommittee unless a Member of such Subcommittee.

2. Subcommittees shall be considered de novo whenever there is a change in the Subcommittee chairmanship and seniority on the particular Subcommittee shall not necessarily apply.

3. Except for matters retained at the full Committee, matters shall be referred to the appropriate Subcommittee or Subcommittees by the Chairman, except as agreed by a majority vote of the Committee or by the agreement of the Chairman and the Ranking Minority Member.

4. Provided all members of the Subcommittee consent, a bill or other matter may be polled out of the Subcommittee. In order to be polled out of a Subcommittee, a majority of the members of the Subcommittee who vote must vote in favor of reporting the bill or matter to the Committee.

#### VIII. ATTENDANCE RULES

1. Official attendance at all Committee business meetings of the Committee shall be kept by the Committee Clerk. Official attendance at all Subcommittee business meetings shall be kept by the Subcommittee Clerk.

2. Official attendance at all hearings shall be kept, provided that Senators are notified by the Committee Chairman and Ranking Minority Member, in the case of Committee hearings, and by the Subcommittee Chairman and Ranking Minority Member, in the case of Subcommittee Hearings, 48 hours in advance of the hearing that attendance will be taken; otherwise, no attendance will be taken. Attendance at all hearings is encouraged.

#### TRIBUTE TO DAVID KAPPOS

Mr. LEAHY. Madam President, I want to congratulate David Kappos, whose last day as the Director of the Patent and Trademark Office, PTO, is today. Director Kappos's leadership of the PTO has been applauded by all segments of the intellectual property, IP, community. This is no easy feat. The IP community is as diverse as our

economy, and the community's views on IP law are hardly uniform.

I have known Director Kappos since well before he entered government service, and I was particularly pleased to chair his confirmation hearing in July 2009. Director Kappos was well suited to understand both how to manage a \$2 billion office and meet the needs of inventors and innovators. He began his career as an engineer and worked in the IP law department of IBM in nearly all of its business units before finally managing all of IBM's IP law interests as vice president and assistant general counsel. IBM is a large employer in Vermont and one of the reasons that Vermont receives more patents per capita than any other State.

Anyone who has met Director Kappos cannot help but be taken with his integrity and his clear passion for an intellectual property system that rewards inventors and creators. Those leadership qualities have motivated the PTO staff, which has reduced the time it takes to receive responses from the patent office on applications and, according to most experts, simultaneously improved the quality of patents that the PTO issues.

Director Kappos played an instrumental role in the development and passage of the Leahy-Smith America Invents Act—one of the few bipartisan, job-creating bills of the 112th Congress. Soon after being confirmed as Director in August 2009, he sat down to work with me and a bipartisan, bicameral group of Members to work out a consensus on patent reform legislation.

Director Kappos's credibility within the patent community and his leadership was critical in bringing together the different interests to support the changes in the America Invents Act that will speed the time for high quality patents to issue from the PTO while providing more efficient methods for challenging low quality patents. Since enactment, Director Kappos and his team have set the PTO on course to implement the key provisions of the act, which will improve the patent system for decades.

The America Invents Act was the highest profile law on which I worked with Director Kappos, but it was not the only one. Early in his tenure, the PTO recommended legislation that ultimately became the Trademark Technical Correction Act of 2010 and the Patent Law Treaties Implementation Act of 2012.

Director Kappos's full title is Under Secretary of Commerce for Intellectual Property and Director of the U.S. Patent and Trademark Office. This is one of the longest titles in government and underscores the vast responsibility he has had, and which is particularly important because IP is such a key driver of our economy.

I am saddened that Director Kappos has decided to step down but heartened by how he has energized the PTO. The President and the Commerce Depart-

ment have lost a valuable member of their economic team. I wish Dave all the best.

#### HONORING SENATOR JOHN KERRY

Mrs. BOXER. Madam President, I rise today to pay tribute to my colleague and friend, Senator JOHN KERRY, as his distinguished career in the U.S. Senate comes to an end.

While I am sad to see him go, I am so proud that Senator KERRY will be continuing his long record of service to the United States as Secretary of State.

For more than 13 years, I have had the privilege of serving with Senator KERRY on the Senate Foreign Relations Committee. Throughout that time, Senator KERRY has consistently shown a tremendous breadth of knowledge regarding the key foreign policy challenges of the day.

Most recently as chairman of the Committee, Senator KERRY championed Senate ratification of the New START treaty—making both our country and the world safer from the threat of nuclear proliferation.

And on a wide range of issues—from United States policy toward Afghanistan and Pakistan to efforts to achieve peace between Israel and the Palestinians—he has offered thought-provoking insight and expertise.

That is why I believe that no one is as prepared as Senator KERRY to serve as our Nation's top diplomat.

I am particularly proud of the many issues we have worked on together, including fighting HIV/AIDS, tuberculosis and malaria, addressing climate change, and working to end human trafficking around the globe.

I am also grateful that Senator KERRY worked with me to establish the first-ever Senate subcommittee dedicated to ending violence against and promoting the advancement of women and girls around the globe.

I look forward to continuing to work on these and the many other foreign policy challenges facing our country with our new Secretary of State, Senator KERRY, and wish him all the best in his new position.

#### ANNUAL REPORT OF THE SELECT COMMITTEE ON ETHICS

Mrs. BOXER. Madam President, the Honest Leadership and Open Government Act of 2007 calls for the Select Committee on Ethics of the United States Senate to issue an annual report not later than January 31 of each year providing information in certain categories describing its activities for the preceding year. Reported below is the information describing the Committee's activities in 2012 in the categories set forth in the Act:

(1) The number of alleged violations of Senate rules received from any source, including those raised by a Senator or staff of the Committee: 47. In addition, two alleged violations from the previous year were carried into 2012.